

United States Bankruptcy Court

MAR 16 1990

IN RE: For the NORTHERN District of IOWA

BOB A. URBANEK, aka Bobbie Alan Urbanek
Debtor

BARBARA A. EVERLY, CLERK

Case No. L-88-00764C

THOMAS G. McCUSKEY, Trustee
Plaintiff

v.

BOB A. URBANEK, aka Bobbie Alan
Defendant

Adversary Proceeding No. L-89-0192C

JUDGMENT

☒ This proceeding having come on for trial or hearing before the court, the Honorable Michael J. Melloy, United States Bankruptcy Judge, presiding, and the issues having been duly tried or heard and a decision having been rendered,

[OR]

☐ The issues of this proceeding having been duly considered by the Honorable Michael J. Melloy, United States Bankruptcy Judge, and a decision having been reached without trial or hearing,

IT IS ORDERED AND ADJUDGED: that the discharge of the Debtor is hereby revoked and that a judgment is hereby entered against the Defendant in the amount of \$121.50 in costs and attorney fees in the amount of \$150.00.

Copy to:
Atty. for Plaintiff
Atty. for Defendant
U.S. Trustee

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BARBARA A. EVERLY

Clerk of Bankruptcy Court

[Seal of the U.S. Bankruptcy Court]

Date of issuance: March 16, 1990

By:

Patricia M. Swiger

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA

FILED
U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF IOWA

MAR - 1 1990

IN RE:	*	Chapter 7	
BOB A. URBANEK	*	BANKRUPTCY NO.	BARBARA A EVERLY, CLERK
aka: BOBBIE ALLAN URBANEK	*	L 88-00764-C	
	*		
Debtor	*		
	*	ADVERSARY NO.	
THOMAS G. McCUSKEY	*	L 89-0192-C	
Trustee	*		
	*		
Plaintiff	*		
	*	ORDER ENTERING DEFAULT	
V.	*		
	*	JUDGMENT	
BOB A. URBANEK	*		
aka: BOBBIE A. URBANEK	*		
	*		
Defendant	*		

Motion for Entry of Default Judgment revoking the discharge of the Debtor and entering judgment for costs being presently before the Court, and this Court having fully reviewed same, finds and orders as follows:

FINDINGS OF FACT

1. The Debtor filed for relief pursuant to Chapter 7 of the United States Bankruptcy Code on May 11, 1988.

2. On November 2, 1989, the Plaintiff/Trustee filed an adversary complaint seeking to revoke the discharge of this Debtor and recover costs based upon the Defendant's

failure to pay or surrender property to the trustee in violation of 11 U.S.C. §727 of the United States Bankruptcy Code.

3. The Summons and Notice of the present adversary complaint was mailed to the address last shown in the Petition for Relief pursuant to Rule 7004(b)(9) of the Bankruptcy Rules. Despite this fact, however, the notice, summons and attached complaint were returned to the Plaintiff. This mailing does constitute valid service pursuant to the Bankruptcy Rules.

4. The Debtor has failed to answer or appear within 30 days of service as required by Rule 7012 of the Bankruptcy Rules.

5. Based upon the foregoing, the Plaintiff/Trustee filed the present Motion for Entry of Default Judgment against the Debtor on January 19, 1990.

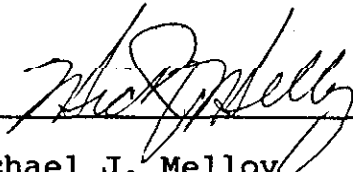
CONCLUSIONS OF LAW

IT IS ADJUDGED AND DECREED that pursuant to Rule 55 of the Federal Rules of Civil Procedure as made applicable to this case by Rule 7055 of the Bankruptcy Rules, the Trustee is entitled to the entry of a default judgment against the Defendant for the relief prayed for in the complaint to revoke the discharge and recover costs.

IT IS FURTHER ORDERED that the discharge of the Debtor is hereby revoked and that a judgment is hereby entered against the Defendant in the amount of representing

\$121.50 in costs and attorney fees in the amount of
\$150.00.

ALL DONE AND ORDERED this 1st day of
March, 1990.



Michael J. Melloy
CHIEF BANKRUPTCY JUDGE FOR
THE NORTHERN DISTRICT OF IOWA

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from Melloy